

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JAMAL KEMO SAUNDERS,
Plaintiff,

v.

J. KISER, et al.,
Defendants.

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Civil Action No. 7:18cv00012

MEMORANDUM OPINION

By: Norman K. Moon
United States District Judge

Plaintiff Jamal Kemo Saunders, a Virginia inmate proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On April 23, 2019, defendants filed a motion for summary judgment. *See* Docket No. 52. Thereafter, the court issued a notice pursuant to *Roseboro v. Garrison*, 528 F.2d 309, 310 (4th Cir. 2005), on April 24, 2019. *See* Docket No. 54. The notice gave Saunders twenty-one days to file a response to the motion and advised him that, if he did not respond, the court would “assume that Plaintiff has lost interest in the case, and/or that Plaintiff agrees with what the Defendant[s] state[] in their responsive pleading(s).” *Id.* The notice further advised Saunders that, if he wished to continue with the case, it was “necessary that Plaintiff respond in an appropriate fashion,” and that if he failed to file some response within the time allotted, the court “may dismiss the case for failure to prosecute.” *Id.* Saunders did not respond. Therefore, I will dismiss Saunder’s complaint without prejudice for failure to prosecute.

ENTER: This 2nd day of August, 2019.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE